

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF QUEST COMMUNICATIONS)
CORPORATION FOR THE ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY TO OPERATE AS A) CASE NO. 91-424
RESELLER OF TELECOMMUNICATIONS)
SERVICES WITHIN THE COMMONWEALTH OF)
KENTUCKY)

O R D E R

In response to the Commission's Orders of December 23, 1991 and March 23, 1992, Quest Communications Corporation ("Quest") filed revisions to its proposed tariff. However, the proposed tariff still does not fully comply with the Commission's Order of March 27, 1991 in Administrative Case No. 330.¹ Further, additional language should be added to the proposed tariff to clarify Section 2.3, Liabilities of the Company.

IT IS THEREFORE ORDERED that Quest shall file the original and ten copies of its tariff sheets with the following revisions. The information requested herein is due no later than 20 days from the date of this Order. If the information cannot be provided by that date, Quest shall submit a motion for an extension of time stating the reason a delay is necessary and include a date by

¹ Administrative Case No. 330, Policy and Procedures in the Provision of Operator-Assisted Telecommunications Services.

which it can be furnished. Such motion will be considered by the Commission.

The language to be included in the tariff shall be the same or substantially the same as the following:

1. Section 2.14. Quest will provide tent cards and stickers to traffic aggregators to be placed on or near telephone equipment used to access its services. Service to traffic aggregators who fail to display such tent cards and stickers in violation of this tariff shall be subject to immediate termination after 20 days notice.

Service to traffic aggregators whose premises equipment does not comply with the blocking and interception prohibitions contained herein shall be subject to immediate termination after 20 days notice.

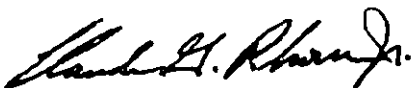
2. Section 2.3. Acceptance by the Commission of the liability provisions contained in this tariff does not constitute its determination that the limitation of liability imposed by the company should be upheld in a court of law, but the recognition that, as it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provisions of this tariff.

Done at Frankfort, Kentucky, this 28th day of April, 1992.

PUBLIC SERVICE COMMISSION


For the Commission

ATTEST:



Executive Director, Acting